IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 7TH DECEMBER 2006 / 16TH AGRAHAYANA 1928

Bail Appl..No. 7250 of 2006()

CMP.15676/2006 of J.M.F.C.,KARUNAGAPPALLY

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PETITIONER/ACCUSED

CHANDRA BABU, AGED 35, S/O. NEELAKANTAN,
PULINKEEZHIL THEKKATHIL, KOTTAKKUPURAM MURI,
KULASEKHARAPURAM, KOLLAM DISTRICT.

BY ADV. SRI.H.HARIKUMAR (KOLLAM)
SRI.S.SHAJI

RESPONDENTS: COMPLAINANT

THE STATE OF KERALA,
(EXCISE INSPECTOR OF KARUNAGAPPALLY RANGE,
CRIME NO.212/2006), REPRESENTED BY THE
PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 07/12/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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Bail Application NO. 7250 of 2006

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DATED: 07-12-2006

O R D E R

In this Petition filed under Sec. 439 Cr.P.C. the petitioner who is the sole accused in Crime No.212/06 of Karunagappally Excise Range for offences punishable under Secs. 8(1) and 8(2) of the Abkari Act, for having been found in possession of 30 liters of illicit arrack on 6-11-2006, seeks his enlargement on bail.

2. I heard the learned counsel for the petitioner and the learned Public Prosecutor. The learned Public Prosecutor opposed the application submitting inter alia that the petitioner is an accused in two other cases similar in nature.

3. I am not satisfied that both the grounds enumerated under Clause (b)(ii) of Sec. 41 A of the Abkari Act are present in this case so as to justify the release of the petitioner on bail.

This Application is accordingly dismissed.

Sd/-V.RAMKUMAR,
JUDGE.

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